



ATTORNEYS AT LAW



Robert Greene Sterne  
Edward J. Kessler  
Jorge A. Goldstein  
David K.S. Cornwell  
Robert W. Esmond  
Tracy-Gene G. Durkin  
Michele A. Cimbala  
Michael B. Ray  
Robert E. Sokohl  
Eric K. Steffe  
Michael Q. Lee  
Steven R. Ludwig  
John M. Covert  
Linda E. Alcorn  
Robert C. Millonig  
Lawrence B. Bugalsky  
Donald J. Featherstone  
Michael V. Messinger

Judith U. Kim  
Timothy J. Shea, Jr.  
Patrick E. Garrett  
Jeffrey T. Helvey\*  
Heidi L. Kraus  
Edward W. Yee  
Albert L. Ferro\*  
Donald R. Banowitz  
Peter A. Jackman  
Molly A. McCall  
Teresa U. Medler  
Jeffrey S. Weaver  
Kendrick P. Patterson  
Vincent L. Capuano  
Albert J. Fasulo II\*  
Eldora Ellison Floyd  
Thomas C. Fiala  
Brian J. Del Buono

Virgil Lee Beason\*  
Kimberly N. Reddick  
Theodore A. Wood  
Elizabeth J. Haanes  
Bruce E. Chalker  
Joseph S. Ostroff  
Frank R. Cottingham  
Christine M. Lhulier  
Rae Lynn Prengaman  
Jane Shershenovich\*  
Lawrence J. Carroll\*  
George S. Bardmesser  
Daniel A. Klein\*  
Rodney G. Maze  
Jason D. Eisenberg  
Michael A. Specht  
Andrea J. Kamage  
Tracy L. Muller

Jon E. Wright\*  
LuAnne M. Yuricek\*

**Registered Patent Agents\***

Karen R. Markowicz  
Nancy J. Leith  
Ann E. Summerfield  
Helene C. Carlson  
Gaby L. Longworth  
Matthew J. Dowd  
Aaron L. Schwartz  
Angelique G. Uy  
Boris A. Matvenko  
Mary B. Tung  
Katrina Y. Pei  
Bryan L. Skelton  
Robert A. Schwartzman  
John J. Figueroa

Timothy A. Doyle  
Jennifer R. Mahalingappa  
Teresa A. Colella  
Jeffrey S. Lundgren  
Victoria S. Rutherford  
W. Brian Edge

**Senior Counsel**

Samuel L. Fox  
Kenneth C. Bass III  
Lisa A. Dunner

\*Admitted only in Maryland  
\*Admitted only in Virginia  
\*Admitted only in Texas  
\*Practice Limited to  
Federal Agencies

February 21, 2003

RECEIVED

FEB 26 2003

TC 1700

**WRITER'S DIRECT NUMBER:**

(202) 772-8643

**INTERNET ADDRESS:**

AFERRO@SKGF.COM

Commissioner for Patents  
Washington, D.C. 20231

**BOX AF**

Re: U.S. Utility Patent Application  
Appl. No. 09/236,113; Filing Date: January 25, 1999  
For: **Cathode Arc Source and Graphite Target**  
Inventors: Shi *et al.*  
Our Ref: 1581.0250001/ALF/EDH

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Fee Transmittal Form (PTO/SB/17);
2. Amendment and Reply Under 37 C.F.R. § 1.116;
3. Petition For Extension of Time Under 37 C.F.R. § 1.136(a)(1);
4. Notice of Appeal;
5. Return postcard; and
6. Form PTO-2038 Credit Card Payment Form authorizing a charge in the amount \$1,240.00 to cover extension for reply within third month and Notice of Appeal.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
February 21, 2003  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

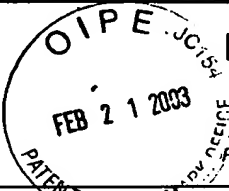
Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

*James W. Medley, Regis. No. 44,933*

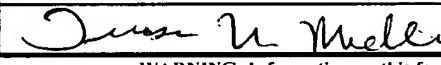
*for* Albert L. Ferro  
Attorney for Applicants  
Registration No. 44,679

ALF/EDH:nar  
Enclosures  
SKGF\_DC1:103144.1

 <h2 style="margin: 0;">FEE TRANSMITTAL for FY 2002</h2> <p style="margin: 0;">Patent fees are subject to annual revision.</p>		<b>Complete if Known</b>	
		Application Number	09/236,113
		Filing Date	January 25, 1999
		First Named Inventor	SHI
		Examiner Name	Cantelmo, Gregg
		Group Art Unit	1745
TOTAL AMOUNT OF PAYMENT		Attorney Docket No.	1581.0250001/ALF/EDH
		(\$1,240.00)	

<p><b>METHOD OF PAYMENT (check one)</b></p> <p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:</p> <p>Deposit Account Number: 19-0036</p> <p>Deposit Account Name: Sterne, Kessler, Goldstein &amp; Fox P.L.L.C.</p> <p><input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed:</p> <p><input type="checkbox"/> Check <input checked="" type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input checked="" type="checkbox"/> Other*</p> <p>*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.</p>	<p><b>3. ADDITIONAL FEES</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> <th rowspan="2">Fee paid</th> </tr> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>147</td> <td>2,520</td> <td>147</td> <td>2,520</td> <td>For filing a request for <i>ex parte</i> reexamination</td> <td></td> </tr> <tr> <td>112</td> <td>920*</td> <td>112</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td></td> </tr> <tr> <td>113</td> <td>1,840*</td> <td>113</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td></td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td>Extension for reply within first month</td> <td></td> </tr> <tr> <td>116</td> <td>400</td> <td>216</td> <td>200</td> <td>Extension for reply within second month</td> <td></td> </tr> <tr> <td>117</td> <td>920</td> <td>217</td> <td>460</td> <td>Extension for reply within third month</td> <td>920.00</td> </tr> <tr> <td>118</td> <td>1,440</td> <td>218</td> <td>720</td> <td>Extension for reply within fourth month</td> <td></td> </tr> <tr> <td>128</td> <td>1,960</td> <td>228</td> <td>980</td> <td>Extension for reply within fifth month</td> <td></td> </tr> <tr> <td>119</td> <td>320</td> <td>219</td> <td>160</td> <td>Notice of Appeal</td> <td>320.00</td> </tr> <tr> <td>120</td> <td>320</td> <td>220</td> <td>160</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>121</td> <td>280</td> <td>221</td> <td>140</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>138</td> <td>1,510</td> <td>138</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td></td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td>Petition to revive - unavoidable</td> <td></td> </tr> <tr> <td>141</td> <td>1,280</td> <td>241</td> <td>640</td> <td>Petition to revive - unintentional</td> <td></td> </tr> <tr> <td>142</td> <td>1,280</td> <td>242</td> <td>640</td> <td>Utility issue fee (or reissue)</td> <td></td> </tr> <tr> <td>143</td> <td>460</td> <td>243</td> <td>230</td> <td>Design issue fee</td> <td></td> </tr> <tr> <td>144</td> <td>620</td> <td>244</td> <td>310</td> <td>Plant issue fee</td> <td></td> </tr> <tr> <td>122</td> <td>130</td> <td>122</td> <td>130</td> <td>Petitions to the Commissioner</td> <td></td> </tr> <tr> <td>123</td> <td>130</td> <td>123</td> <td>130</td> <td>Petitions related to provisional applications</td> <td></td> </tr> <tr> <td>126</td> <td>180</td> <td>126</td> <td>180</td> <td>Submission of Information Disclosure Stmt</td> <td></td> </tr> <tr> <td>581</td> <td>40</td> <td>481</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td></td> </tr> <tr> <td>146</td> <td>740</td> <td>246</td> <td>370</td> <td>Filing a submission after final rejection (37 CFR 1.129(a))</td> <td></td> </tr> <tr> <td>149</td> <td>740</td> <td>249</td> <td>370</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> <td></td> </tr> <tr> <td>179</td> <td>740</td> <td>279</td> <td>370</td> <td>Request for Continued Examination (RCE)</td> <td></td> </tr> <tr> <td>169</td> <td>900</td> <td>169</td> <td>900</td> <td>Request for expedited examination of a design application</td> <td></td> </tr> </tbody> </table> <p>Other fee (specify):</p> <p>Other fee (specify):</p> <p>*Reduced by Basic Filing Fee Paid</p>	Large Entity		Small Entity		Fee Description	Fee paid	Fee Code	Fee (\$)	Fee Code	Fee (\$)	105	130	205	65	Surcharge - late filing fee or oath		127	50	227	25	Surcharge - late provisional filing fee or cover sheet		139	130	139	130	Non-English specification		147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination		112	920*	112	920*	Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action		115	110	215	55	Extension for reply within first month		116	400	216	200	Extension for reply within second month		117	920	217	460	Extension for reply within third month	920.00	118	1,440	218	720	Extension for reply within fourth month		128	1,960	228	980	Extension for reply within fifth month		119	320	219	160	Notice of Appeal	320.00	120	320	220	160	Filing a brief in support of an appeal		121	280	221	140	Request for oral hearing		138	1,510	138	1,510	Petition to institute a public use proceeding		140	110	240	55	Petition to revive - unavoidable		141	1,280	241	640	Petition to revive - unintentional		142	1,280	242	640	Utility issue fee (or reissue)		143	460	243	230	Design issue fee		144	620	244	310	Plant issue fee		122	130	122	130	Petitions to the Commissioner		123	130	123	130	Petitions related to provisional applications		126	180	126	180	Submission of Information Disclosure Stmt		581	40	481	40	Recording each patent assignment per property (times number of properties)		146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))		149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))		179	740	279	370	Request for Continued Examination (RCE)		169	900	169	900	Request for expedited examination of a design application	
Large Entity		Small Entity		Fee Description	Fee paid																																																																																																																																																																														
Fee Code	Fee (\$)	Fee Code	Fee (\$)																																																																																																																																																																																
105	130	205	65	Surcharge - late filing fee or oath																																																																																																																																																																															
127	50	227	25	Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																															
139	130	139	130	Non-English specification																																																																																																																																																																															
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination																																																																																																																																																																															
112	920*	112	920*	Requesting publication of SIR prior to Examiner action																																																																																																																																																																															
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action																																																																																																																																																																															
115	110	215	55	Extension for reply within first month																																																																																																																																																																															
116	400	216	200	Extension for reply within second month																																																																																																																																																																															
117	920	217	460	Extension for reply within third month	920.00																																																																																																																																																																														
118	1,440	218	720	Extension for reply within fourth month																																																																																																																																																																															
128	1,960	228	980	Extension for reply within fifth month																																																																																																																																																																															
119	320	219	160	Notice of Appeal	320.00																																																																																																																																																																														
120	320	220	160	Filing a brief in support of an appeal																																																																																																																																																																															
121	280	221	140	Request for oral hearing																																																																																																																																																																															
138	1,510	138	1,510	Petition to institute a public use proceeding																																																																																																																																																																															
140	110	240	55	Petition to revive - unavoidable																																																																																																																																																																															
141	1,280	241	640	Petition to revive - unintentional																																																																																																																																																																															
142	1,280	242	640	Utility issue fee (or reissue)																																																																																																																																																																															
143	460	243	230	Design issue fee																																																																																																																																																																															
144	620	244	310	Plant issue fee																																																																																																																																																																															
122	130	122	130	Petitions to the Commissioner																																																																																																																																																																															
123	130	123	130	Petitions related to provisional applications																																																																																																																																																																															
126	180	126	180	Submission of Information Disclosure Stmt																																																																																																																																																																															
581	40	481	40	Recording each patent assignment per property (times number of properties)																																																																																																																																																																															
146	740	246	370	Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																															
149	740	249	370	For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																																															
179	740	279	370	Request for Continued Examination (RCE)																																																																																																																																																																															
169	900	169	900	Request for expedited examination of a design application																																																																																																																																																																															

<b>1. BASIC FILING FEE</b>		<b>2. EXTRA CLAIM FEES</b>		<b>3. SUBTOTAL (3)</b>	
Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid		
101	740	201	370	UTILITY FILING FEE	
106	330	206	165	DESIGN FILING FEE	
107	510	207	255	PLANT FILING FEE	
108	740	208	370	REISSUE FILING FEE	
114	160	214	80	PROVISIONAL FILING FEE	
SUBTOTAL (1) (\$)-0-					
Total Claims 16 - 25 = 0		X			
Indep. Claims 3 - 5 = 0		X			
Multiple Dependent					
Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid		
103	18	203	9	CLAIMS IN EXCESS OF 20	
102	84	202	42	INDEPENDENT CLAIMS IN EXCESS OF 3	
104	280	204	140	MULTIPLE DEPENDENT CLAIM	
108	84	209	42	**REISSUE INDEPENDENT CLAIMS OVER ORIGINAL PATENT	
110	18	210	9	**REISSUE CLAIMS IN EXCESS OF 20 AND OVER ORIGINAL PATENT	
SUBTOTAL (2) (\$)-0-					
*or number previously paid, if greater; For Reissues, see above				SUBTOTAL (3) (\$) 1,240.00	

<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>	
Name (Print/Type)	Albert L. Ferro	Registration No. (Attorney/Agent)	44,679
Signature		Telephone	202-371-2600
		Date	February 21, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. SKGF Rev. 10/01/01 mmac #103148v1<SKGF\_DC1> - amendment and reply fee trans. wpd